

**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
BARRY M. SCHULTZ, M.D.

STATEMENT
OF
CHARGES

BARRY M. SCHULTZ, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 3, 1985, by the issuance of license number 162310 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about November 22, 2016, the Florida Board of Medicine (hereinafter "Florida Board") issued a Final Order which accepted Respondent's voluntary relinquishment of his license to practice medicine in Florida, and that this acceptance constituted discipline of his license. The Florida Board's followed Respondent's voluntary relinquishment of his Florida medical license on August 28, 2016, in which Respondent understood that his action was construed as disciplinary action pursuant to Florida Statute Section 456.07(1)(f) and an Administrative Complaint filed on February 26, 2016, which alleged Respondent indiscriminately prescribed and dispensed excessive amounts of controlled substances to multiple patients from 2007 through 2015.

B. The Conduct resulting in the Florida Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following Sections of New York State:

1. New York Education Law §6530(3) (practicing the profession with negligence on more than one occasion).

SPECIFICATION OF CHARGES
HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent violated New York State Education Law § 6530(9)(d) by having disciplinary action taken, where the conduct resulting in the disciplinary action involving the license would, if committed in New York State, constitute professional misconduct under the laws of New York State Law, in that Petitioner charges:

1. The facts in Paragraph A and B and B.1.

DATE: January 25, 2017
Albany, New York


MICHAEL A. HISER
Deputy Counsel
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